

37. The method of claim 33 wherein, in step (a), the specific hardware or software characteristics of the client are determined as a part of client log-in at the server.

Remarks

The present amendment is in response to the action mailed in the above-referenced case on June 7, 2000. Claims 1-37 are presented for Examination. In the action the Examiner rejected claims 1-9, 11, 13, 15 and 18-20 under 35 U.S.C. 103(a) as being anticipated by Meske et al. (US No. 5,530,852) hereinafter Meske, in view of Rogers et al. (US 5,701,451) hereinafter Rogers. Claims 10, 12, 14, 16, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meske, and Rogers, and further in view of Judson (US 5,572,643) hereinafter Judson. Claims 21-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meske, Rogers, and further in view of Gleeson (US 5,627,829) hereinafter Gleeson.

In response applicant herein provides clear arguments to more clearly point out the patentability of the claims, and to elucidate how the claims distinguish unarguably over the prior art provided by the Examiner. Applicant believes that the prior art references provided by the Examiner are not correctly understood and interpreted by the Examiner, and do not read on applicant's claimed invention.

Claim 1 herein recites:

1. In a WEB browsing system, a method for minimizing data to be transmitted to a client device from a Web server, comprising steps of:

- (a) creating a listing of parameters derived from one or more of hardware and software characteristics of the client device, characteristics of a WEB page, and preferences of a customer using the client device;*
- (b) storing the parameters as a template at the Web server;*
- (c) accessing a WEB page requested by the customer;*
- (d) translating the WEB data according to the template; and*
- (e) transmitting the translated data to the client device.*

Claim 1 is rejected under 103 (a) as being anticipated by Meske in view of Rogers. The Examiner admits that Meske does not specifically disclose creating a listing of parameters derived from one or more of hardware or software characteristics of the client device, characteristics of a WEB page, and preferences of a customer using the client's device.

The Examiner relies on the art of Rogers to disclose creating a listing of parameters (i.e., Web server processing client's data according to client's parameters, see abstract, Fig. 1, col. 4 lines 40-60, col. 6 line 57 to col. 7 line 41, col. 9 line 56 to col. 10 line 11) derived from one or more of hardware or software characteristics of the client device, characteristics of a WEB page, and preferences of a customer using the clients' device (data according to the database servers 18, see col. 9 line 56 to col. 10 line 36).

Applicant respectfully traverses the Examiner's statement that Rogers creates a listing of parameters for downloading data derived from one or more of hardware or software characteristics of the client device, characteristics of a WEB page, and preferences of a customer using the

clients' device.

Rogers clearly teaches inbound and outbound parameters concerning file types, report generation and presentation preferences for the collected data to be presented to the user or client. Rogers teaches a preferred embodiment having a link between a Hypertext Markup Language (HTML) document using a common gateway interface, and open data interpretation system server (ODAS). As a result, Web clients can request DIS reports to be generated, specify the parameters to be used in generating the reports, and then view the report results on a Web home page (col. 5 lines 19-21).

Rogers teaches in step 125 the control program tests for the kind of report to be created by obtaining information from stored variables and identifies output parameters, such as whether the report is to be a text report, or a graphical report. At this point the control program branches to the sequence applicable to the kind of report to be created. If the output is to be routed the Web server 10, then the output is routed to the Web server in step 126 (col. 14 lines 57-60).

Rogers teaches in FIG. 9 that the capsule, represented by a series of linked objects, is supported by Internetwork processor support environment means 90. Within this environment an integrated capsule creates a text report file as a result of the object 95, make text. This object result file is the file 43 according to FIG. 3 which is displayed at the browser. In the illustrated example, the multiple DIS capsule data retrieval command file 91(a) . . . 91(n) initiates as a first step multiple queries to different databases which are specified by the parameters of the request (col. 17, lines 4-6).

Rogers teaches input parameters contain path environment data from the HTML document that referred to said control program agent (col 20, claim 2).

Rogers teaches a method of fulfilling requests according to his claim

1 wherein the input parameters include data entered by said user including variables identifying the type of file to create as a report to be created as a result of said web request and user identified applicable output parameters as to where a result is to be directed, and said steps further comprise: testing with said control program agent for the type of report file to be created by obtaining information from stored variables and said testing further identifies said user identified applicable output parameters, and branching to the sequence applicable to the type of report file to be created (col. 22 claim 21).

Applicant clearly shows through the reproductions above of the art and teaching of Rogers, that the parameters as described and taught in Rogers clearly fail to teach applicant's limitations of claim 1 wherein a listing of parameters are created derived from one or more of hardware and software characteristics of the client device. Rogers teaches input and output parameters specified by a client when requesting data, as to where to collect the data, and how to format the reports presented to the user, nothing more.

Applicant has read the portions of Rogers pointed out by the Examiner, along with the remainder of Rogers' specification, and does not see any support in the applied art for creating a listing of parameters derived from one or more of hardware and software characteristics of the client device as recited in applicant's claim 1. The practice of quoting the applicant's claim language and attributing it to the reference is backwards, and should be avoided. Applicant needs to know what in the reference is considered by the Examiner to be the equivalent of applicants elements. The reference should be quoted for what it actually says, not for what the applicant's claim recites. A better approach would be for the Examiner to quote the actual reference teaching, and then argue how that teaching reads on the applicant's claim. The Examiner is citing portions of the reference, then quoting parts

of applicant's claims as though that is what the reference says, when it clearly does not. What the Examiner relates to the reference is pure conjecture. Moreover, we find that this is a common practice of many Examiners. It is not productive of clear understanding leading to disposal of cases.

In applicant's invention, as argued in the previous Amendment, the WEB server first processes data requested to be transmitted to a specific client's device according to pre-stored characteristics of the specific user's device, or according to characteristics transmitted by the user's device. For example, a user's device could be a hand-held computer, or devices like WEB TV systems, Set-Top boxes, and the like. These types of devices may have varying CPU capacities, data transmission speeds, and operate with different software applications. In some instances only multi-media extensions supported by the user's device are used, and data is preferably combined into one file for each transfer. In this manner, each communication with each user's device is done in a fast and efficient manner, tailored to the needs of each user, and the user can then function with a minimum hardware/software device that may be energy efficient providing long life between battery charges. Because the server is capable of storing characteristics of the client device (profiles) at the server, the server is capable of converting data to be specifically tailored according to characteristics, or profiles, of the client's device, and then communicates the data to the client's device. **In this manner, for example, a client using a hand held computing device, having a smaller computing capacity than a standard PC, can download WEB pages and other data from a server that would otherwise be impossible.**

As argued above the parameters and profiles of Rogers are not a listing of parameters derived from one or more of hardware and software

characteristics of the client device, as clearly recited in applicant's claim 1.

Applicant believes claim 1 is patentable as extensively argued above.

Claim 2 is patentable at least as depended from a patentable claim.

Claim 3 herein recites:

*3. A software template for use in translating WEB data to a reduced-data form to be transmitted to a client device from a WEB server, comprising:
one or more parameters derived from one or more of hardware and software characteristics of the client device; and
control routines adapted for applying the parameters in translating data from a WEB page for transmission to the client device.*

Claim 3 is rejected by the Examiner using the same reasoning as set forth in claims 1 and 2. Claim 3 recites a software template for translating WEB data to a reduced-data form to be transmitted from a WEB server to a client's device **based on one or more of hardware and software characteristics of the client device.**

As argued above on behalf of claim 1, Rogers clearly fails to disclose transmitting data to a client based on characteristics of the client device. The parameters of Rogers cannot read on the parameters of hardware and software devices at the client as claimed in applicant's invention. The WEB server in applicant's invention may have to reformat the transmission of data, via a template, when transmitting to the client to accommodate specific characteristics of the hardware and software capabilities of the client's device. Applicant believes claim 3 is patentable over the art of Rogers. Claims 4-5 are patentable on their own merits or at least as depended from a patentable claim.

Claim 6 herein recites:

6. In a WEB browsing system using templates listing parameters derived from one or more of hardware and software characteristics of a client device, characteristics of a WEB page, and customer preferences in reducing data content of files to be transmitted to the client device, a template editor comprising:

a client interface for displaying characteristics of the template; and tools for altering the characteristics.

Claim 6 is rejected by the Examiner using the same reasoning presented for claim 1 above. As argued by the applicant on behalf of claim 1 Rogers does not teach using templates listing parameters derived from one or more of hardware and software characteristics of a client device, as taught in applicant's claimed invention. Therefore applicant believes claim 6 is also patentable over the art of Rogers. Claims 7-8 are patentable at least as depended from a patentable claim.

Claim 9 herein recites:

9. In a WEB browsing system, a Mark-Script for use by a WEB server hosting a customer operating a client device, the Mark-Script comprising:

a list of Web pages to be accessed on behalf of the client; and control routines adapted for accessing the WEB pages one-after-another and storing the contents at the WEB server for transmission on demand to the client device based on one or more of hardware and software

characteristics of the client device.

Claim 9 is rejected using the same reasoning provided for claim 1. Claim 9 also recites the transmission of data from the WEB server to the client's device being dependent on the one or more of hardware and software characteristics of the client's device. Further, the Examiner's basis for rejection for claim 1 simply does not deal with the unique limitation of using Mark-Script.

There are products in the art that provide for setting up a sequence for accessing WEB pages. In these products a sequence of URLs is entered, and the computer then accesses the WEB pages in order and catalogues the results, as in the art of Meske. This is different than the system of the present invention. In the present invention a list of WEB page destinations is stored either at a client device or at an enabled WEB server. The system comprises not just the list of destinations, but executable control routines for implementing the accessing of the listed destinations and controlling interaction between a server and the client. The inventor terms the combination a Mark-Script, which is a cross between a list of bookmarks and a script.

In applicant's invention a Mark-Script for use by a WEB server hosting a customer operating a client device is provided. The Mark-Script comprises a list of Web pages to be accessed on behalf of the client; and control routines adapted for accessing the WEB pages one-after-another and storing the contents at the WEB server for transmission on demand to the client device.

As an example of a Mark-Script and execution according to an embodiment of the present invention, a client uploads a sequence of URLs to a WEB Server adapted for reduced-content data sharing according to the

present invention. The client may then provide an initiation signal identifying the Mark-Script, and the server will access the first destination of the Mark-Script, translate the content according to the user's template, including the hardware and/or software characteristics of the client's device, and transmit the result to the client device. While the user is viewing the first result, the Mark-Script accesses the second destination, performs the translation, and queues the data for transmission to the user after the user is finished with the data from the first destination.

Meske simply does not teach this kind of sophisticated control in the downloading of desired articles. Converting HTML files to SGML files as taught in the art of Meske simply doesn't suffice. Rogers also fails to teach transmission of data based on the detailed characteristics of the client's device as argued above.

Applicant believes claim 9 is patentable over the art of Meske. Claim 10 is also patentable at least as depended from a patentable claim.

Claim 11 recites:

11. A method for WEB browsing by a client device, comprising steps of:

(a) preparing a Mark-Script comprising a list of Web pages to be accessed on behalf of the client device, and control routines adapted for accessing the WEB pages one-after-another and storing the contents at the WEB server for transmission on demand to the client device;

(b) accessing the WEB server by the client device and initiating execution of the Mark-Script; and

(c) interacting with WEB pages transmitted by the WEB server to the client device according to the list and to characteristics of the client device including one or more of hardware and software.

Claim 11 is rejected by the Examiner using the same reasoning provided on behalf of claim 9, which stems back to claim 1. The Examiner also states that Meske teaches the step of accessing the WEB server by the client device and initiating execution of the Mark-Script (i.e. HTML files to SGML files). As seen in columns 9 and 10 of Meske advanced control routines are not available in the transmission of files to the client as taught in applicant's invention.

Applicant believes claim 11 is patentable over the art of Meske as amended. Claim 12 is also patentable at least as depended from a patentable claim.

Claim 13 herein recites:

13. A method for sequential browsing by a server on behalf of a client device, comprising steps of:

(a) accessing a Mark-Script stored at the server and associated with the client device, the Mark-Script listing a sequence of WEB pages to be accessed for the client;

(b) accessing the listed WEB pages and storing the retrieved data at the server; and

(c) transmitting the stored pages to the client device on demand based on one or more of software and software characteristics of the client device.

The Examiner has rejected claim 13 using the same reasoning set forth on behalf of claims 1 and 11. Claim 13 includes the recitation of transmitting data according to the one or more of hardware and software characteristics of the client's device. Applicant believes claim 13 is

patentable over the art of Meske and Rogers as argued on behalf of claim 1 and 11 above. Claims 14-17 are also patentable at least as depended from a patentable claim.

Claim 18 herein recites:

18. A system for Internet browsing, comprising:

a host computer connected to one or more peripheral devices and to the Internet; and

a WEB server adapted for browsing the Internet for the host;

wherein the WEB server fetches WEB pages for the host computer and reduces data content before transmission to the host based on one or more of hardware and software characteristics of one of the peripheral devices connected to the host.

The Examiner rejects claim 18 under 103(a) as being unpatentable over Meske in view of Rogers. There are many existing devices, and more devices being developed, that may communicate locally with a computer which may in turn communicate with remote data sources over networks like the Internet. A device adapted to communicate with computers locally, acting as a computer peripheral device, for example, may benefit a client indirectly, with the host device accessing the Internet or other WAN, downloading data specifically reduced in data content according to characteristics of the peripheral device, and then communicating the data to the peripheral device.

Meske does not teach the downloading or transmission of data to a peripheral device other than the WEB server 150 and the host computer 100.

Further, Meske is not capable of transmitting data to any type of client device based on one or more of hardware and software characteristics as

argued above. Rogers also fails to teach this limitation.

Applicant believes claim 18 is clearly patentable over the art of Meske and Rogers. Claim 19 is also patentable at least as depended from a patentable claim.

Claim 20 as amended herein recites:

20. A system for Internet browsing comprising a client device connected to a WEB server for browsing legacy system sites on the client's behalf, the system comprising:

a source-side template for converting data requested by the WEB server to an Hyper Text Markup Protocol (HTML) before transmission to the WEB server; and

a client-side template for reducing data content of the data at the Web site according to one or more of hardware and software characteristics supplied by the client device before transmission of the data to the client device.

Claim 20 is rejected by the Examiner using the same reasoning provided on behalf of claims 1 and 19. The Examiner further states that Meske teaches a source side template adapted for converting data requested by the WEB server to an Hyper Text Markup Protocol (HTML) before transmission to the WEB server. Claim 20 recites that the client-side template reduces the data for transmission according to the hardware and or software characteristics supplied by the client device before transmission.

Meske's SGML/HTML parser/converter process 400, implemented in PERL script communicates with the server via CGI 220. The HTML versions of articles stored in the SGML mail message, sent to the server by

the news source, are searched for the presence of specified search terms using the SGML/HTML parser/converter. The HTML results of these specified search requests can then be displayed on a client's console.

Meske does not teach wherein the transmission of data is according to characteristics of the client device, being provided by the client device. Meske's basic system of converting SGML to HTML and sending data to a client simply does not read on client's claim 20. There is absolutely no ability taught in the art of Meske or Rogers to acquire hardware and/or software characteristics from a client's device and transmit data accordingly. Claim 20 is patentable as amended as argued above and on behalf of claim 1.

Claim 21 herein recites:

21. A computing system comprising:

a client; and

a server having server control routines and connected to the client by a data link;

wherein the server control routines, upon a request to download by a client, determine one or more of hardware and software characteristics of the client, transpose data, without further negotiation with the client, and transmit the transposed data to the client in a form specifically adapted to the characteristics of the client, and wherein, in the transposing, a first set of files is transposed into a second set of files fewer in number than the first set of files.

Claim 21 is rejected under 103(a) as being unpatentable over Meske and Rogers, and further in view of Gleeson. Claim 21 encompasses the

patentable limitations previously argued on behalf of the independent claims above, and a limitation that the transposing involves creating a second set of files fewer from a first set.

As argued extensively above, nowhere in the art of Rogers is the teaching or suggestion of determining one or more of hardware and software characteristics of the client, transposing data as a result of the determination, without further negotiation with the client.

Meske simply does not teach a WEB server having server control routines, wherein upon a request to download by a client, determines one or both of hardware or software characteristics of the client, transposes data, without further negotiation with the client, and transmits the transposed data to the client in a form specifically adapted to the characteristics of the client, and as a set of fewer files than a first set.

The Examiner states that Gleeson discloses a first set of files being transposed into a set of files fewer in number than the first set of files (i.e. compressing and decompressing data) by reducing the size of data packet (see abstract, Fig. 12A, 12B and col. 5 line 63 to col. 6 line 56). The Examiner states it would have been obvious to modify Meske with Gleeson's teaching because it would have reduced the number of size and data packets transferred over the wireless network.

Applicant argues that Gleeson's figures 12A and 12B show packets and compression ID's inserted according to the invention. The packet layer of transmission system disclosed in the art of Gleeson is below the file layer recited in claim 21, which is well known in the art, in the ISO standard of network, and also described by Gleeson in Fig. 2, and col. 5, line 63 – col. 6, line 56. Gleeson teaches that a file is broken up into packets for transmission. How can there be a reduction of files, when Gleeson applies to a layer one (or two or three in classic 7 layer model) layers below files or

applications? In fact, applicant's invention clearly says that "normal compression" can also be applied, but is not a part of the claim in question. Gleeson merely makes reference to the physical characteristics of the network.

Applicant believes claim 21 is patentable over the art provided by the Examiner. Depended claims 22-26 are patentable on their own merits or at least as depended from a patentable claim. Applicant herein also points out regarding claim 25 that Meske does not teach transposing HTML. This feature is not disclosed in col. 4, lines 14-51 or anywhere else. Figure 4 of Meske, in fact, clearly shows that he converts e-mail etc. into HTML, he does not teach transposing HTML.

Claim 27 herein recites:

27. A server in a client-server system comprising:

a data port for connecting to a client;
a facility for accessing data to be transferred to the client; and
control routines for managing data preparation and transfer to the client:

wherein the control routines establish one or more of hardware and software characteristics of the client's device and, in response to a download request from the client, prepare and transmit data to the client in a form specifically adapted to the characteristics of the client, and wherein the control routines, in preparing the data for transfer to the client, transpose, without further negotiation with the client, a first set of files into a second set of files fewer in number than the first set of files before transferring the data to the client.

Claim 27 is rejected using the same reasoning provided by the Examiner on behalf of claims 21-26 respectively. Claim 27 recites a server in a client-server system having control routines for establishing one or more of hardware and software characteristics of the client's device. As argued previously in this case, Meske and Rogers do not teach the ability to transpose and transmit data to a client based on the specific characteristics of the client's device, or reducing the number of files.

Applicant believes claim 27 is patentable over the art provided by the Examiner as argued above. Claims 28-32 are patentable on their own merits or at least as depended from a patentable claim.

Claim 33 herein recites:

33. A method for transferring data originally comprising multiple files by a server to a client, comprising steps of:

- (a) determining at the server, upon a request to download by a client, one or more of specific hardware and software characteristics of the client;*
- (b) transposing the data, without further negotiation with the client, according to the specific characteristics of the client, including reducing the number of files comprising the data; and*
- (c) transferring the transposed data to the client over a data link connecting the client to the server.*

Claim 33 is applicant's method claim corresponding to claim 27, and is patentable using the same reasoning provided by the applicant on behalf of claims 21 and 27. Claims 34-37 are patentable on their own merits or at least as depended from a patentable claim.

Applicant believes the claims as they stand presented for

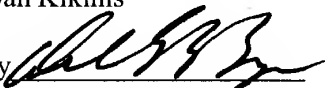
examination are patentable to applicant over the references cited and applied, and therefore requests reexamination and that the case be passed quickly to issue.

If there are any extensions of time required beyond an extension specifically petitioned and paid with this response, such extensions are hereby requested. If there are any fees due beyond any fees paid by check with this response, authorization is given to deduct such fees from deposit account 50-0534.

Respectfully Submitted,

Dan Kikinis

by



Donald R. Boys

Reg. No. 35,074

Donald R. Boys
Central Coast Patent Agency
P.O. Box 187
Aromas, CA 95004
(831) 726-1457